

**Exhibit A**

Docket No. JAB-1669  
Express Mail Label No. EL 710 606 301 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Raymond Antoine Stokbroekx, et al.  
Serial No. : 09/998,975  
Filed : October 19, 2001  
Title : Angiogenesis Inhibiting 5-Substituted-1,2,4-Thiadiazolyl Derivatives  
Art Unit : 1624  
Examiner : Truong, Tamthorn Ngo

Attn: Office of Patent Legal Administration  
Mail Stop: Petitions (Filing Date)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

AUG 18 2003

**OFFICE OF PETITIONS**

AFFIDAVIT OF STEVEN P. BERMAN

*in support of*

PETITION TO ACCORD CORRECT FILING DATE

37 C.F.R. 1.10

I, Steven P. Berman, being duly sworn, state as follows:

- 1) I am a citizen of the United States, resident in New Jersey, and hold the position of Associate Patent Counsel, Office of the General Counsel at Johnson & Johnson. I have been employed by Johnson & Johnson for more than the past twenty-five years.
- 2) I am a licensed attorney in the States of New Jersey, New York, and Ohio and a registered patent attorney before the United States Patent & Trademark Office (registration number 24,772).
- 3) As part of my duties as Associate Patent Counsel, Office of the General Counsel at Johnson & Johnson, I prepare and prosecute patent applications before the United States Patent Office.

4) On October 19, 2001, I reviewed and signed (signature where applicable) the following **correspondence**, a true copy of which I attest is attached hereto as **Exhibit A-1**:

Return Receipt Postcard	(1 page)
Express Mail Certificate	(1 page)
Utility Patent Application Transmittal	(1 page)
Fee Transmittal Sheet	(1 page, submitted in triplicate)
Preliminary Amendment	(8 pages)
Information Disclosure Statement	(4 pages)
PTO Form 1449	(1 page)
Specification	(21 pages)
Executed Declaration(s)	(8 pages)

5) The number of the "Express Mail" mailing label was placed on the Express Mail Certificate which listed generally the enclosed documents that constituted the aforementioned correspondence, prior to the original mailing by "Express Mail."

6) The aforementioned correspondence, attached hereto as Exhibit A-1, was deposited by Diane Hetzler, at my direction and request, under "Express Mail Post Office to Addressee" service of the United States Postal Service under Express Mail label number EL710839120US.

7) I do swear that all statements made in this Affidavit of my own knowledge are true and all statements made on information and belief are believed to be true. All statements in this declaration are made with the knowledge that willful false statements and the like if made in this Affidavit are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that any willful false statement may jeopardize the

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validity or enforceability of any patent that may issue on the application for which this  
Affidavit is made.

Dated this 10th day of June, 2003



\_\_\_\_\_  
Steven P. Berman

STATE OF New Jersey  
                        ) ss.  
COUNTY OF         )  
    Middlesex

BE IT REMEMBERED, That on this 10<sup>th</sup> day of June, 2003, before me, a  
Notary Public, personally appeared Steven P. Berman, who I am satisfied is the person named  
in and who executed the foregoing instrument in my presence, and I having first made known to  
them the contents thereof, they did acknowledge that they signed, sealed, and delivered the  
same as their voluntary act and deed for the uses and purposes therein expressed.



\_\_\_\_\_  
Notary Public

FELICIA A. ADADEVON  
NOTARY PUBLIC OF NEW JERSEY  
COMMISSION EXPIRES 04/10/2005